

### **REMARKS**

Claims 1, 3-12, 32 and 33 remain pending in the present application. Claim 34 has been cancelled. Claims 1, 3-5, 7, 8, 10-12, 32 and 33 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

### **CLAIM OBJECTIONS**

Claim 8 is objected to because of informalities. Claim 8 has been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1, 3-11 and 32-34 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The claims have been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1, 4, 5, 7, 8, 10, 11 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura (U.S. Pat. No. 4,671,536). Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura, as applied to Claim 1, in view of Tanaka, et al. (U.S. Pat. No. 5,238,286). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura, as applied to Claim 1, in view of Scheidel (U.S. Pat. No. 6,523,878). Claim 9 is rejected under 35 U.S.C. § 103(a) as

being unpatentable over Yoshimura, as applied to Claim 1, in view of Takano, et al. (U.S. Pub. No. 2002/0117842 A1). Claim 32 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura, as applied to Claim 1. Claim 33 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura, as applied to Claim 1. Applicants respectfully traverse this rejection. Claim 1 has been amended to include the limitations of Claim 34 and both claims have been amended to overcome the 35 U.S.C. § 112 issues. Claim 1, now amended, defines the first lower cross car beam and the upper cross car beam as being arranged in superposed relation with each other on a first axis at a first predetermined angle while the upper cross member and the second lower cross car beam are arranged in juxtaposition on a second axis at a second predetermined angle where the second angle is different than the first.

The Examiner's position for adding the lower cross car beam to Yoshimura is not a mere duplication of parts, it is to increase rigidity and allow the vehicle to use a steering assembly on either side. Yoshimura provides no incentive to increase the rigidity on the passenger side. The steering column support comprises more than the lower cross member, it includes bracket assembly 44, master cylinder bracket 31 which support the steering column. As stated in column 3, lines 40-42 "the steering column 23 is supported by the master cylinder bracket and the support members 32 and 33..." Thus, using the Examiner's reasoning, both lower beam 33 and master cylinder bracket 31 would have to be added to the left side of the vehicle. The costs and weight increases for incorporating all of the steering column support brackets on both sides of the vehicle does not justify adding the brackets to allow the steering wheel on either

side, it teaches moving the brackets to the opposite side when the steering wheel is on the opposite side.

In addition, the vehicle easily vibrates in a vertical direction when it is running. Therefore, it is possible to arrange the upper cross beam and the first lower cross beam at a first predetermined angle to prevent the vibration of the steering column while arranging the upper cross beam and the second lower cross beam at a different second predetermined angle to increase the strength of the cross beam against a shock received from the front side of the vehicle can be strengthened. If the brackets on the first side of the vehicle in Yoshimura are added to the opposite side as proposed by the Examiner, this would result in the beams being at the same angle and not at a different angle as is now defined in amended Claim 1.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 3-11, 32 and 33, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Claim 34 has been cancelled. Reconsideration of the rejection is respectfully requested.

#### **REJOINDER**

Applicants respectfully request the rejoinder of Claim 12.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is

believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 

Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MJS/pmg